

Application No.: 09/980,880
Petition Dated: November 22, 2006
Reply to Office Communication: September 22, 2006

MAT-8189US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No: 09/980,880
Applicants: Yoshio GODA, et al.
Filed: September 3, 2002
Title: TOP SEALING PLATE, BATTERY USING THE TOP SEALING PLATE,
AND METHOD OF MANUFACTURING THE BATTERY (AS AMENDED)
TC/A.U.: 1745
Examiner: Robert W. Hodge
Confirmation No.: 1394
Docket No.: MAT-8189US

**PETITION UNDER 37 C.F.R. 51.137 TO
WITHDRAW HOLDING OF ABANDONMENT**

Mail Stop Petition

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Petition is being filed responsive to the Notice of Abandonment mailed
September 22, 2006.

The Notice contends that:

Applicants requested a Pre-Appeal Conference but have
failed to respond to the decision of the Pre-Appeal Panel.

Applicants' representative never received the decision of the Pre-Appeal Panel.
Thus, Applicants' representative was not aware that a time period had started for filing
an appeal brief.

The required practitioner's statement is enclosed.

Also enclosed is a copy of the docket record where the non-received office
communication would have been entered had it been received and docketed. Filing of
the appeal brief would have been docketed for April 15, 2006.

11/27/2006 MBELETE1 00000071 09980880

03 FC:1464

130.00 OP

Page 1 of 2

Adjustment date: 02/14/2007 CKHLOK
11/27/2006 MBELETE1 00000071 09980880
03 FC:1464 -130.00 OP

0030037903

\$130.00

Card Refund Total:

XXXXXXXXXXXX1006

UNITED STATES PATENT & TRADEMARK OFFICE
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND											
1 Date of Request: 02/13/07				2 Serial/Patent # 09/980,880							
3 Please refund the following fee(s):					4 PAPER NUMBER		5 DATE FILED		6 AMOUNT		
Filing									\$		
Amendment									\$		
Extension of Time									\$		
Notice of Appeal/Appeal									\$		
X Petition 1464							11/24/06		\$ 130.00		
Issue									\$		
Cert of Correction/Terminal Disc.									\$		
Maintenance									\$		
Assignment									\$		
Other									\$		
					7 TOTAL AMOUNT OF REFUND				\$ 130.00		
					8 TO BE REFUNDED BY:						
10 REASON:					X		Treasury Check CREDIT CARD				
Overpayment							Credit Deposit A/C #:				
Duplicate Payment					9		<div style="border: 1px solid black; display: inline-block; width: 100px; height: 20px; text-align: center;"> -- </div>				
X No Fee Due (Explanation):											
Petition due to PTO error, no fee due.											
11 REFUND REQUESTED BY:											
TYPED/PRINTED NAME: Douglas I. Wood					TITLE:		Senior Petitions Attorney				
SIGNATURE: /douglas wood/					PHONE:		571-272-3231				
OFFICE: Office of Petitions											
***** THIS SPACE RESERVED FOR FINANCE USE ONLY: *****											
APPROVED:					DATE:		2/14/07				

Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to:

FORM PTO 1577
(01/90)

**Office of Finance
Refund Branch
Crystal Park One, Room 802B**